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Response
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THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Satoru Matsuda
Appl. No.: 09/389,603 ~~000~~
Filed: September 3, 1999
Title: INFORMATION PROCESSING APPARATUS, METHOD AND COMPUTER
PROGRAM FOR VIRTUAL REALITY AURA SETTING
Art Unit: 2671
Examiner: H. Cao
Docket No.: 112857-179

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Assistant Commissioner for Patents
Washington, DC 20231

Technology Center 2500

RESPONSE TO OFFICE ACTION

Sir:

The following remarks are in response to the Office Action entered in the above identified patent application and mailed on January 16, 2002. Claims 1-24 are pending in the application. Claims 1, 7, 13 and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,736,982 to *Suzuki et al.* Claims 2-6, 8-12, 14-18 and 20-24 were objected to for depending from rejected base claims. However, the Examiner has indicated that the claims objected to would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In light of the reasons set forth below, Applicant respectfully submits that all pending claims are presently in condition for allowance.

Claims 1, 7, 13 and 19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,736,982 to *Suzuki et al.* To establish a prima facie case of obviousness, all of the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ, 580 (CCPA 1974). In the present case, each of the independent claims include features which are not taught or suggested by *Suzuki et al.*

Claims 1, 7, 13 and 19 are all independent claims and claim 1 is representative. Claim 1 requires a sensing-area setting means for setting a sensing area used for a sensing object to sense information on one or more sensed objects within the sensing area. Further claim 1 requires a transmission-area setting means for setting a transmission area used for a transmitting object to

transmit information to one or more receiving objects within the transmission area. Thus, claim 1 requires a sensing object that senses or detects information on at least one sensed object with the sensing area set by the sensing-area setting means. Similarly, claim 1 also requires a transmitting object that transmits information to at least one receiving object within the transmission area set by the transmission-area setting means.

In contrast, *Suzuki et al.* fail to teach or suggest a sensing-area setting means and a transmission-area setting means as required by the claimed invention. With respect to the sensing-area setting means, The Examiner asserts that *Suzuki et al.* teach the same at column 1, lines 49-52. This assertion is incorrect. The passage cited by the Examiner states that an object of the invention disclosed by *Suzuki et al.* “is to provide a virtual reality space display method which gives users a *sense* of real existence in the virtual space and a virtual space sharing apparatus utilizing the method.” (emphasis added). Thus, an object of the invention disclosed by *Suzuki et al.* is to provide users with the sense or feeling that they are in a real rather than a virtual environment. It appears that the Examiner has confused the use of the word “sense” in *Suzuki et al.* with the use of the word “sense” in the claimed invention. In the claimed invention, the word “sense” relates to sensing, detecting, recognizing (or the like) an object within the sensing area, as clearly supported by the specification (e.g., at page 11, lines 7-19). Thus, *Suzuki et al.* do not teach or suggest a sensing-area setting means for setting a sensing area used for a sensing object to sense information on one or more sensed objects within the sensing area as required by the claimed invention.

With respect to the transmission-area setting means, the Examiner admits that *Suzuki et al.* fail to disclose a transmission-area setting means. As indicated by the Examiner, *Suzuki et al.*, disclose transmitting position information of avatars at column 5, lines 50-60. The Examiner asserts that transmitting position information of avatars suggests the idea of a transmission-area setting means for setting a transmission area as required by the claimed invention. This assertion is incorrect. *Suzuki et al.* disclose that a server “transmits the position information to *all terminals except the transmitting one.*” (emphasis added) See, *Suzuki et al.*, col. 5, lines 56-58. Thus, *Suzuki et al.* disclose that the position information for an avatar is sent to every terminal on the communication network regardless of their proximity to the transmitting avatar. The claimed invention, in contrast, sets a transmission area so that information is only transmitted to objects

within the transmission area. Thus, *Suzuki et al.* do not disclose a transmission-area setting means for setting a transmission area used for a transmitting object to transmit information to one or more receiving objects within the transmission area as required by the claimed invention. Accordingly, Applicant respectfully requests that the obviousness rejection with respect to claims 1, 7, 13 and 19 be withdrawn.

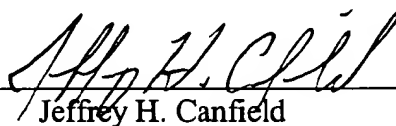
In light of the preceding remarks, Applicant submits that all of the pending claims are in condition for allowance and request that the Examiner allow the application to issue. However, if there are any remaining issues the Examiner is encourage to call Applicant's attorney, Jeffrey H. Canfield at (312) 807-4233 in order to facilitate a speedy disposition of the present case.

If any additional fees are required in connection with this response, they may be charged to deposit account no. 02-1818.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

BY



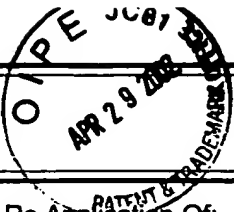
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**TRANSMITTAL LETTER**
(General - Patent Pending)Dock t No.
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In Re Application Of: Satoru Matsuda

Serial No.
09/389,603Filing Date
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H. CaoGroup Art Unit
2671Title: **INFORMATION PROCESSING APPARATUS, METHOD AND COMPUTER PROGRAM FOR VIRTUAL REALITY AURA SETTING****RECEIVED**

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TO THE ASSISTANT COMMISSIONER FOR PATENTS

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in the above identified application.

- ☒ No additional fee is required.
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- ☒ The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. **02-1818** as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of _____
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Signature

Dated: April 16, 2002

Jeffrey H. Canfield, Esq. (38,404)
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Chicago, Illinois 60690-1135
Telephone: (312) 807-4233I certify that this document and fee is being deposited
on Apr. 16, 2002 with the U.S. Postal Service as
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Assistant Commissioner for Patents, Washington, D.C.
20237

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Robert J. Buccieri

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